

**TOWN OF COXSACKIE PLANNING BOARD**  
**MINUTES OF REGULAR MEETING**  
**December 2, 2021**

**CALL TO ORDER**

Chairman Bruce Haeussler called the meeting to order at the Coxsackie Town Office Building at 7:00 PM followed by the Pledge of Allegiance.

**ROLL CALL**

The following members were in attendance: Chairman Bruce Haeussler, Vice Chairman, Frank Gerrain, William Whitbeck, JoAnne Conway, Linda Deubert, Nathan Tailleir, Joseph Garland, Secretary Patty McIntyre, and Attorney Tal Rappleyea. A quorum was declared. Also, in attendance were Nathaniel MacDonald representing Santo Associates, Jennifer Crawford, representing Crawford & Associates Engineering, Patrick Doyle, William Matter, Barb Lisa, Jason Singer, Haylee and Caleb Adkins, representing The Grange, Randy Robinson, Barb Lisa, David and Helen Meier, Fred Piazza, Mary Garvey, Peggy Quigley, Hugh Quigley, Tina Gallagher, Steve Muller, Jean Muller, Michael Barkman, Bonnie and Noel Osborn, and Giuseppina Agovino.

**MINUTES**

A motion was made by Joe Garland and seconded by Bruce Haeussler to accept the minutes of the November 4, 2021 meeting. All members were in favor.

**BOARD DISCUSSIONS**

JoAnne Conway voiced her concern regarding the tires that are building up along Rte. 81. Tal Rappleyea has had discussions regarding this with the Town Supervisor and that DEC was supposed to be taking care of the situation. Chairman Haeussler asked that a letter be drafted to the Town Board recommending enforcement proceedings of the NOV that had been issued.

Information regarding the issuing of Highway Permits was shared with the Planning Board. Chairman Haeussler reminded the Board that the Board will have to file a form 239 for County roads.

Chairman Haeussler inspected the solar arrays on the end of Sunset Blvd. The fencing is in disrepair and the land under the panels is not being maintained. The berm is not what was expected. Chairman asked that a letter be drafted and sent to the Mayor of Coxsackie and Renee VanSchaack and copied to the Town Board to inform them that they have not met their contractual obligations. Attorney Rappleyea suggested an alternative may be to ask the Court to revoke the approval and the Court could shut it down.

Chairman Haeussler noted that Freepoint Solar has begun work, and he is concerned that they will not honor the landscaping agreement. It was expected that the berms would be constructed before actual construction. Upon further examination, the agreement states "The landscaping and fencing

shall be accomplished prior to or contemporaneously with and in conjunction with the construction of the panels and shall be completed together.” The Board will continue to monitor the progress.

## **OPEN TO PUBLIC**

### **PUBLIC HEARING – THE GRANGE-EVENT VENUE**

A motion to open the public hearing for The Grange event venue located at 2551 Route 385 was made by Bill Whitbeck and seconded by Joe Garland. Haylee Adkins presented the plan for a special use permit to host personal (weddings, reunions, etc.) and community events( tournaments, Holiday markets, etc.) for up to 150 guests. They will be renovating the large barn on the property to be used as the primary event space, containing the noise as much as possible, and access will be on Rte. 385. Neighbor Steve Muller voiced his concern about the noise that could impact him on his property. Ms. Adkins stated that events would end at 10pm, and that they have hired a sound engineering team that specializes in acoustics to create a noise mitigation plan. Trees are being planted near the border of the property of Alex Ritter as well. Jean Muller asked about the plan to keep guests on the property. Ms. Adkins intends to have signage all around the property and the plan is to have an operations team (3-5 people) who will be concerned with noise and perimeter control. Either Haylee and/or Caleb will also be present for each event. The farmhouse will be available for limited guests to stay (i.e., the bride and groom). They are proposing up to 12 events per year (next year 7). They agreed to abide by all code requirements. Favorable public input was shared via e-mail to the Board. A motion to close the public hearing was made by Bill Whitbeck and seconded by Joe Garland at 7:30pm. The applicant had submitted Part I of the SEQR review. Attorney Rappleyea read the questions to complete Part II. All answers were no. A motion to declare a negative declaration was made by JoAnne Conway and seconded by Joe Garland. All were in favor. All application fees have been submitted, along with proof of mailings to neighbors. A preliminary letter from DOT was also submitted. A motion to approve the site plan review and special use permit was made by JoAnne Conway and seconded by Linda Deubert with conditions : Final DOT approval of curb cut permit, hours of operation 12-10pm, music/sound off by 10pm, no fireworks (although they could apply to the Town Board for fireworks 30 days ahead), 3-5 people patrolling the property, one person appointed at all events for monitoring, a maximum of 12 events per year, and a schedule of events to be sent to the Town Clerk. The motion passed unanimously.

### **PUBLIC HEARING – SUSAN PACUK – SUBDIVISION**

Nathaniel MacDonald, representing Santo Associates and the landowner, presented sketches to subdivide the property located at 54 Adams Road into 3 lots. It is zoned Rural Residential, so 2 acres is sufficient for a lot. One lot will be 15+ acres, one will be 2+ acres, and the third will be 6+ acres. A motion to open the public hearing was made by Bill Whitbeck and seconded by JoAnne Conway at 7:45pm. SEAF Part 1 was submitted by the applicant. The applicant did not send out the notifications to neighbors within 500 feet, so the Board could not proceed. There was no public input at this time. A motion to continue the public hearing until the January 6, 2021 meeting was made by Bill Whitbeck and seconded by JoAnne Conway. All were in favor.

**PUBLIC HEARING-continuation - RANDOLPH & EARL ROBINSON – SUBDIVISION**

Jennifer Crawford of Crawford & Associates Engineering presented drawings on behalf of the Robinsons to subdivide the parcel located at Undercliff Rd. (87.00-2-16) into 2 lots of 31 and 56.2 acres, respectively. The property is located off Greene Lake Road. The location of the right of way was in question at last month’s meeting. The purpose of the right of way is to provide access to the property, but not to be used for construction. The neighbor, Mr. Piazza, was not in favor of the original map because the right of way was along his property. In the new proposal, the right of way is moved south by about 100 feet. The proposed right of way will not actually be built but will exist in the deed. Chairman Haeussler is concerned about crossing the Niagara Mohawk right of way. Ms. Crawford said that there is an existing deeded right of way. Patrick Doyle of Freepoint Solar explained that National Grid created the issue of breaking the land in two, to the detriment of the landowner. Chairman Haeussler requested documentation, that there is a Niagara Mohawk right of way, be submitted to the Board to be reviewed by the Attorney, along with a letter of acceptance from neighbor, Fred Piazza of this proposal. A motion to again keep the public hearing open was made by Bill Whitbeck and seconded by Frank Gerrain. All were in favor.

**PUBLIC HEARING Continuation – BILL MATTER – EVENT VENUE**

A motion to re-open the public hearing was made by Nathan Tailleir and seconded by Bill Whitbeck. Bill Matter is applying for a special use permit and site plan review for the use of his barn as an event venue, located at 1754 High Hill Rd. There has been a lot of back and forth as to what Mr. Matter would need to move forward with his proposal. Code Enforcement Officer, Ed Pebler was scheduled to make a site visit to determine the distance from the barn being used for events, and the neighboring property. Three hundred feet is the requirement( from the site to the property line). It does not appear to meet that code. Chairman Haeussler mentioned the coolers that were left in the field where the parking has occurred. Mr. Matter explained that the coolers are there to mark wet spots in the field for cars. Neighbors, Bonnie, and Noel Osborn have expressed their concern about the distance from their property. Mr. Matter did have a Halloween party after the cease and desist but it was private. Attorney Rappleyea explained that the CEO will have to measure, if it is not 300feet, he will deny the application. Once he has denied the application, Mr. Matter can apply to the Zoning Board of Appeals for a variance. The Board expects that no more events be held in the meantime. The Public Hearing remains open until this is resolved.

**OLD BUSINESS**

**JAKE HALSTED – EVENT VENUE**

Chairman Haeussler spoke with Mr. Halsted prior to the meeting to give a copy of the Town Code and let him know what he will need to come before the Board. He will be scheduled to present his plan at the January 6, 2022 meeting.

**NEW BUSINESS**

**MICHAEL & BRENDA BARKMAN – LOT LINE ADJUSTMENT- COUNTRY MEADOW LANE**

Mr. Barkman provided a letter of authorization from Mr. Poppy Quattlebaum stating that the a portion of his land will be conveyed to and combined with the property of Michael & Brenda Barkman. Chairman Haeussler made a motion to accept the application for a lot line adjustment at the property

located at 69 Country Meadow Lane and 80 Country Meadow Lane . One lot will measure 2.479 acres and the other 12.75 acres. The motion passed unanimously.

**ADJOURNMENT**

A motion was made by Bill Whitbeck and seconded by Bruce Haeussler to adjourn the meeting at 8:31pm. The motion was accepted unanimously.

**RESPECTFULLY SUBMITTED,**

**Patricia McIntyre, Secretary**